

# EXHIBIT E



Arjun Vasan &lt;arjun.vasan@gmail.com&gt;

**Arjun Vasan v. Checkmate - Case No. 2:25-CV-00765-MEMF-JPR; Request to Meet and Confer regarding Deficient Initial Disclosures [KLG-AMERICAS.FID3718879]**

1 message

**Arjun Vasan** <arjun.vasan@gmail.com>

Wed, Sep 10, 2025 at 6:33 PM

To: "Makitalo, Rebecca I." &lt;Rebecca.Makitalo@klgates.com&gt;, "Keech, Ryan Q." &lt;ryan.keech@klgates.com&gt;, "Chiu, Stacey G." &lt;Stacey.Chiu@klgates.com&gt;, "Winningham, Jacob R." &lt;Jacob.Winningham@klgates.com&gt;

Counsel,

Please confirm your availability next week to meet and confer under L.R. 37-1 on:

1. your Rule 26(a)(1)(A)(iii) damages computation (and supporting documents), and
2. phasing/stay of counterclaim discovery (including withdrawal/adjournment of the Varadarajan/Nessler subpoenas).

Proposed times (PT):

- Tue., Sept 16: 10–11 a.m. or 2–3 p.m.
- Wed., Sept 17: 9–10 a.m.
- Thurs., Sept 18: 9–10 a.m.

(If unavailable, please offer two alternatives.)

Recording: This conference must be on the record—with mutual audio recording, or a court reporter at Checkmate's expense.

For a productive conference: Please serve your Rule 26(a)(1)(A)(iii) computation(s) for each counterclaim, and the documents on which each computation relies, by Mon., Sept 15 at 5:00 p.m. PT.

Phasing proposal:

- Stay all counterclaim-related discovery pending rulings on my MTD/MTS;
- Withdraw/adjourn the Varadarajan and Nessler subpoenas to 14 days after those rulings;
- If anything survives, adopt a non-party protocol: topics limited to the surviving claim(s); date range Jan 1, 2024 → present; party-sources-first; agreed search terms; exclude personal content; 7-day advance notice before any new non-party subpoena; AEO for sensitive non-party data.

Absent a compliant 26(a)(1)(A)(iii) computation with source documents, I will move to compel and seek Rule 37(c)(1) preclusion of any damages evidence (and expenses under Rule 37(a)(5)(A)) until you comply, and I will simultaneously seek a Rule 26(c)/45(d) protective order implementing the phasing above.

Best regards,  
Arjun Vasan